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SACRAMENTO COURTS
DEPT. #53 #54

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SACRAMENTO

FAIR POLITICAL PRACTICES COMMISSION,
a state agency,

Plaintiff,

v.

SANTA ROSA INDIAN COMMUNITY OF THE
SANTA ROSA RANCHERIA dba PALACE
BINGO AND PALACE INDIAN GAMING, and
DOES I-XX,

Defendants.

Case No. 02AS04544

DECLARATION OF GEORGE
DUNST IN SUPPORT OF
OPPOSITION TO MOTION TO
QUASH

Date: February 20, 2003

Time: 9:00 a.m.

Dept: 54

Judge: Hon. Joe S. Gray

Action Filed July 31, 2002

No Trial Date Set

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1 I, George Dunst, declare:

2 1. I am the Legal Counsel for the Wisconsin State Elections Board. I make this declaration
3 in opposition to the Santa Rosa Indian Community of the Santa Rosa Rancheria's motion to quash
4 service of summons and first amended complaint of the California Fair Political Practices Commission.

5 2. The State Elections Board was created under section 15.61, Wisconsin Statutes, in July
6 1974, at the time the Wisconsin Legislature enacted a comprehensive campaign finance disclosure law,
7 Chapter 334, Laws of 1973. In that legislation, in s.11.001, Stats., the legislature declared its policy
8 that the integrity of the elective process and the maintenance of free government require the fullest
9 compliance with a comprehensive system of campaign finance reporting:

10
11 ***11.001 Declaration of policy.** (1) The legislature finds and declares that our democratic*
12 *system of government can be maintained only if the electorate is informed. It further*
13 *finds that excessive spending on campaigns for public office jeopardizes the integrity of*
14 *elections. It is desirable to encourage the broadest possible participation in financing*
15 *campaigns by all citizens of the state, and to enable candidates to have an equal*
16 *opportunity to present their programs to the voters. One of the most important sources of*
17 *information to the voters is available through the campaign finance reporting system.*
18 *Campaign reports provide information which aids the public in fully understanding the*
19 *public positions taken by a candidate or political organization. When the true source of*
20 *support or extent of support is not fully disclosed, or when a candidate becomes overly*
21 *dependent upon large private contributors, the democratic process is subjected to a*
22 *potential corrupting influence. The legislature therefore finds that the state has a*
23 *compelling interest in designing a system for fully disclosing contributions and*
24 *disbursements made on behalf of every candidate for public office, and in placing*
25 *reasonable limitations on such activities. Such a system must make readily available to*
26 *the voters complete information as to who is supporting or opposing which candidate or*
27 *cause and to what extent, whether directly or indirectly. This chapter is intended to serve*
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1 *the public purpose of stimulating vigorous campaigns on a fair and equal basis and to*
2 *provide for a better informed electorate.*

3 *(2) This chapter is also intended to ensure fair and impartial elections by precluding*
4 *officeholders from utilizing the perquisites of office at public expense in order to gain an*
5 *advantage over nonincumbent candidates who have no perquisites available to them.*

6 *(3) This chapter is declared to be enacted pursuant to the power of the state to protect*
7 *the integrity of the elective process and to assure the maintenance of free government.*

8 3. The mission of the Elections Board is to implement the policy declared by the
9 legislature: to enhance representative democracy by ensuring the integrity of the electoral process. To
10 achieve this mission, the Elections Board is a source of information about the election process and the
11 activities and finances of candidates for public office. The campaign finance disclosure system,
12 administered by the Elections Board, is designed to make information readily available to the public
13 about the sources and extent of support and opposition to candidates. The Elections Board is
14 empowered with the responsibility of administering and enforcing the state's election and campaign
15 finance laws, section 5.05, Wisconsin Statutes. The Elections Board and its staff enforce the election
16 and campaign laws vigorously to reduce the opportunity for corruption and maintain public confidence
17 in representative government.

18 4. A number of Native American Indian tribes are politically active in Wisconsin, in that
19 they make contributions to Wisconsin candidates and/or to ballot measures. The tribes comply with the
20 campaign finance disclosure laws of Wisconsin by filing timely and accurate disclosure reports with the
21 Elections Board.

22 5. Some years ago, an association of Indian tribes made contributions to secure passage of
23 a gambling initiative. That association failed to comply with the disclosure laws, and although we
24 began enforcement proceedings against the association, ultimately we dropped our efforts because of
25 difficulties in achieving service. More recently, however, the Oneida Nation tribe was found to have
26 committed relatively minor violations of the campaign finance laws, in that there were cash balance
27 discrepancies found during an audit. The tribe worked with the Elections Board to rectify those

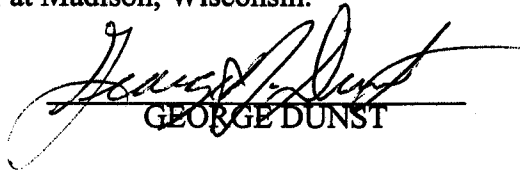
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1 discrepancies, and, on June 20, 2002, paid a forfeiture of \$1,010 for the violations. The tribe did not
2 contest the Elections Boards jurisdiction in that action.

3 6. Attached hereto as Exhibit A is a true and correct copy of a letter that the Elections
4 Board sent in 1991 and as Exhibit B is a true and correct copy of a letter that the Elections Board sent
5 in 2002, to Indian tribal representatives regarding the manner, under Wisconsin's campaign finance
6 law, in which Indian tribal members and tribes may make contributions and disbursements influencing
7 Wisconsin candidate and referendum elections, and regarding the reporting requirements for those
8 contributions and disbursements.

9 I declare under penalty of perjury under the laws of the State of California that the foregoing is
10 true and correct of my own knowledge, and that if called upon I could testify competently thereto.

11 Executed this 3rd day of February, 2003, at Madison, Wisconsin.

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13 GEORGE DUNST
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